

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CORONAVIRUS

Mr. MCCONNELL. Mr. President, last year, Congress rallied five times around historic bipartisan legislation to meet urgent and unprecedented needs. Our COVID-19 packages reinforced the healthcare frontlines, fueled the sprint for vaccines, and cast lifelines for the workers and small businesses hit hardest by shutdowns.

Together, those bills cost about \$4 trillion, but none of those measures passed the House of Representatives with less than a bipartisan supermajority of about 80 percent—completely overwhelming support.

Then, last week, House Democrats rammed through the American Rescue Plan Act on a razor-thin margin of 50.7 percent. The only thing bipartisan about their bill was the opposition to it. Their bill costs about \$2 trillion. That is roughly the same size as the entire CARES Act that saved our health system and economy through months of shutdowns last year. Even liberal experts admit this is far out of proportion to what is needed now, with vaccines going into arms and the economy already primed to literally roar back.

Amazingly, Democrats managed to allocate less than 9 percent—9 percent—of their massive bill to the entire healthcare response; 9 percent of the \$1.9 trillion related to the healthcare response, and—listen to this—even less than 1 percent of the \$1.9 trillion to the vaccines that will actually finish the fight.

They needed to save the other 91 percent of the borrowed money for a vast catalog of liberal spending with basically no relationship whatsoever to beating COVID-19. For example, they want to send wheelbarrows of cash to State and local bureaucrats to bail out mismanagement from before the pandemic. They are changing the previous

bipartisan funding formula in ways that will especially bias the money toward big blue States. This outraged a bipartisan group of Governors, largely from middle America, who went on record this week. There are generous new benefit packages for government employees. There are provisions to let abortion providers drain money from rescue programs that were built to save Main Street small businesses. There is a strange new Acela corridor kickback where they will make Medicare send more money to just New Jersey, Rhode Island, and Delaware.

Just looking at the timeframe for all of their spending belies any notion that this is an urgent rescue plan.

Take the K-12 funding which, contrary to science, Democrats say is a prerequisite for opening schools. Ninety-five percent of that supposedly urgent money would not be spent this fiscal year but, instead, over the next 7 years. Let me say that again. Ninety-five percent of the money for K-12 is not going to be spent this year, but over the next 7 years. That is not my definition of an emergency.

Grants for rural healthcare would be on a slow drip out through fiscal 2024. Agriculture-related funds would trickle out over the next—listen to this—over the next decade. It doesn't sound very urgent to me.

What the American people need are fast-acting plans to get schools reopened now, get laid-off workers back into jobs, and finish the fight against this virus right now. The Democrats have, instead, drawn up a liberal omnibus to fund miscellaneous government spending over the next decade.

We are adding all this money to the national debt, and they have a rescue package with most of the money being spent out far in the future. That is why there was bipartisan opposition over in the House. That is why aspects of the House bill are already dropping like flies before this thing even hits the Senate floor.

A pet project for the San Francisco Bay area is gone. Special upgrades for a bridge connecting New York to Canada, gone. Even CNN had to admit these were "controversial." Senator SANDERS' far-left minimum wage policy that would have killed 1.4 million jobs just as we try to recover appears to be gone, too—at least for now.

According to public reports, right now, as we speak, several of our Democratic colleagues are frantically trying to trim back other crazy provisions: the runaway government bailouts, the policies that will keep workers at home when we should be focusing on rehiring.

Just a few days ago, President Biden's Chief of Staff bragged that this smorgasbord of borrowed money will add up to "the most progressive domestic legislation in a generation."

So that is what you get when the Democratic leader persuades all of my distinguished friends across the aisle that their first undertaking as Senate

committee chairmen should be to outsource all their gavels to the House.

The Senate wrote the CARES Act. In the earliest days of the crisis, this Chamber took the bull by the horns. I personally assembled bipartisan task forces that crafted urgent solutions to help America weather the storm.

This time around, on the substance, the Senate has been largely missing in action. House Democrats are bristling and publicly pushing back if our Senate Democratic colleagues even try to make their mark on this partisan bill in small ways.

So these two radically different processes have generated two radically different pieces of legislation.

The Democrats had a choice. They chose to go it alone, tack to the left, leave families' top priorities on the cutting-room floor.

IMMIGRATION

Mr. MCCONNELL. Mr. President, on a completely different matter, just 6 weeks into unified Democratic government, we already have another crisis brewing on our southern border. In January, Customs and Border Protection logged more than 78,000 encounters on our southwest border, more than double the figure from January of 2020.

Last week, HHS sources told reporters we just logged the busiest February in the history of the Unaccompanied Alien Children Program. The number of kids turning up on our border with no parents is soaring, and everyone expects the numbers to keep climbing.

Now the Biden administration is reportedly planning to reopen the same kinds of emergency shelters over which Democrats vilified the Trump administration a couple of years back. Both President Biden and his Secretary of Homeland Security have said this week they don't think this is a crisis. Not a crisis, they say? Well, if this isn't a crisis, with unaccompanied kids pouring in and exceeding the capacity in a pandemic, I would hate to see what one looks like.

The cause of this emergency is not some mystery. It is not mysterious at all. Everybody knows exactly what happened. The new administration explicitly campaigned on weakening border security, and 6 weeks in, they have reversed the "Remain in Mexico" policy, begun letting more people in in a haphazard way, and broadcast confusing mixed messages.

The L.A. Times says: "Biden immigration policy stirs confusion at Mexico border." They interviewed one woman who crossed the Rio Grande "on a smuggler's raft" and was only briefly detained before being released into our country. She explained she had specifically come because of the new Biden administration: "That gave us the opportunity to come."

Another reporter put it this way: "The message received in Tijuana and other Mexican border cities was

simpl[e]: Joe Biden was now letting people in.”

We are not just talking about the fine details of border policy. The big backdrop behind this whole discussion is the sweeping leftwing amnesty plan that the Biden administration unveiled before they were even sworn in. They want to fast-track 11 million illegal immigrants into temporary legal status, then green cards, and then full citizenship.

The far left loves this approach, but so does a certain cross section of Big Business. There is a whole lot of cultural power and economic power pushing the liberal vision. As for the best interest of American workers, well, that is not as trendy a cause in certain circles.

The truth is that it is not helpful or compassionate to just open up our borders. It is not fair to American citizens and workers, but neither is it fair to the people who are being lured into a humanitarian crisis in the middle of a pandemic because they believe this Democratic administration just conspicuously turned on a neon “Vacancies” sign.

Republicans just spent 4 years making major headway on the security and humanitarian crisis at our border. It took serious policy changes. It took international diplomacy with multiple countries, and it took border enforcement.

The American people would be better served if the Biden administration had chosen to build on this progress instead of rapidly trying to tear it down.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

NOMINATION OF MERRICK BRIAN GARLAND

Mr. DURBIN. Mr. President, history was made on Monday. Judge Merrick Garland finally got a vote before the Senate Judiciary Committee. It was a long time in coming. His nomination was approved by a bipartisan vote of 15 to 7. I am not surprised. He is superbly qualified to be the next Attorney General of the United States.

With experience, judgment, and integrity, he checks all the boxes. He served with distinction on the DC Circuit Court for 23 years and, in that time, developed a reputation for fidelity to the rule of law, a strict adherence to judicial independence, and a commitment to treat people with fairness, dignity, and respect. It is no surprise that he has been endorsed by 60 former Federal judges and by judges, of course, who have been appointed by Presidents of both political parties. In

addition to his experience on the bench, he is a longtime veteran of the Department of Justice, where he served before he ascended to the DC Circuit.

He is uniquely qualified at this moment in history to lead the Department and to investigate and prosecute, for example, the January 6 insurrection—the mob that invaded this Capitol Building. The reason he is qualified is that he led the investigation and prosecution of the Oklahoma City bombing. We remember that very well. That was clearly a case of domestic terrorism. His work on that project won praise from across the political spectrum.

He also personally understands the Department's role in protecting civil rights. I believe he is the person to restore honor and dignity to this Department. He has support from every major law enforcement organization in the country, from 150 former Justice Department officials of both parties, from the Nation's leading civil rights organizations, and from many others—left, right, and center. His credentials are second to none, and his character—in particular, his selflessness—is a model to us all.

When we held the markup on his nomination in the committee, the most significant witness may have been a lady by the name of Mrs. Tucker. She testified on the second panel. She is the mother of two DC public school students who were tutored and mentored by Judge Garland. After the first child had received his helping hand for several years, the second child asked if she could be included in the next round, and then they both won the help of Judge Garland. Doesn't it speak volumes of a man who has reached that station in life that he would be so humble as to sit down and help children whom he had never met before find their way through life? It was a touching moment when she testified. It really was an insight into his character.

So you would think, with a 15-to-7 vote, you would think with all of these endorsements, and you would think that the fact of there being four members on the Republican Senate side of the Senate Judiciary Committee behind him that this would be a nomination of an Attorney General so important to this Nation that it would be given expedited treatment on the floor of the Senate. No. Unfortunately, there was an objection to expediting his nomination so he could get to work for the Department of Justice, and, as a consequence, we face the Senate procedure, which means that it could be days, maybe even into next week, before he can take the job. That is unfortunate. We need him now more than ever. Even Republican Leader MITCH MCCONNELL has said he would support him. CHUCK GRASSLEY, my friend and the ranking member of the Senate Judiciary Committee, voted for him.

There is just no reason the Senate should not immediately hold a vote for Merrick Garland's nomination. He is

the last remaining member of President Biden's national security team to be chosen. It is time for him to take this job. The Attorney General is needed to fight the threat of domestic terrorism, which the FBI Director spoke to yesterday in the Senate Judiciary Committee, to reorganize this Department and get it moving in the right direction, and to face the many challenges when it comes to national security and the administration of justice.

We should confirm Merrick Garland immediately. I sincerely hope that whoever is holding his nomination on the other side can be persuaded to give him his chance.

CORONAVIRUS

Mr. DURBIN. Mr. President, on a different subject, I listened to the speeches of Senator SCHUMER and Senator MCCONNELL about the American Rescue Plan—Joe Biden's proposal, his initial proposal as President—to deal with the pandemic, the state of the economy, and many other aspects of American culture and life that need to be addressed. Clearly, there is a difference of opinion.

I couldn't help but think, as Senator MCCONNELL was recounting our experience last year, that when it came to the CARES Act a year ago—the \$2 trillion plan to respond to the state of the pandemic and the economy, the plan that was engineered by Treasury Secretary Mnuchin, a member of the Trump administration, who argued and negotiated with Republicans and Democrats alike—that, when they finally agreed, the vote was 96 to nothing in this Chamber. Every Democrat voted for the proposed CARES Act that was engineered by the Trump administration. Party was pushed aside because the priority was our Nation. It happened again in December of last year. In President Trump's administration, with Treasury Secretary Mnuchin at the table and with Democrats and Republicans bargaining, the final vote was 92 to 6 in the Senate—not bad—and the 6 noes were all Republicans. Again, the Democrats stepped up and said: We will support this bipartisan effort because that is why we are here. The American people sent us here to do a job.

Now comes the new President, Joe Biden, who says: Good work last December, but that was temporary, and that was supposed to be a special effort. Now we have to finish the year. We have some deadlines coming. Just 2 weeks from now—or in less than 2 weeks—the unemployment insurance programs will be running out for millions of Americans, and the rental assistance program as well. Some will face eviction, and some will not have enough money to feed their families. So get to work. Pass the American Rescue Plan on a bipartisan basis.

We have yet to hear from one Republican Senator who will support President Biden's plan. Some of them have